

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Susai et al.

Application No.: 10/826,268

Filed: April 19, 2004

For: APPARATUS, METHOD AND COMPUTER  
PROGRAM PRODUCT FOR GUARANTEED CONTENT  
DELIVERY INCORPORATING PUTTING A CLIENT ON-  
HOLD BASED ON RESPONSE TIME

Attorney Docket No.: 2006579-0472 (CTX-168CON)

Art Unit: 2456

Confirmation No.: 9408

Examiner: Tran, Jimmy H.

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO FINAL OFFICE ACTION**

Dear Examiner Tran:

**INTRODUCTORY COMMENTS**

A Final Office Action was issued in the referenced application on December 7, 2009. The date two months from the date of the final Office Action fell on Sunday, February 7, 2010. In accordance with 37 CFR 1.7(a) and MPEP §706.07(f), Applicants submit that this response is timely filed within the two month period on Monday, February 8, 2010. In view of the remarks set forth below, Applicants respectfully urge reconsideration and withdrawal of the finality of the outstanding rejections.

**Remarks/Arguments** begin on page 2 of this paper.